IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Crl. Misc. No. 78882-M of 2006

DATE OF DECISION : 29.01.2007

Rajinder Singh & another

.... PETITIONERS

Versus

State of Haryana

..... RESPONDENT

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

Present: Mr. Tejinder Pal Singh, Advocate,
for the petitioner.

Mr. A.K. Rathee, AAG, Haryana.

* * *

Petitioners Rajinder Singh alias Raju and his brother Charanjit singh alias Gurcharan Singh alias Channa have filed this petition under Section 439 of the Code of Criminal Procedure for the grant of regular bail in case FIR No. 215 dated 24.3.2006 under Sections 307/324/323/341/148/ 149 IPC, registered at Police station City, District Panipat.

I have heard counsel for the parties and gone through the contents of the FIR as well as the order dated 4.11.2006, passed by Additional Sessions Judge, Panipat, whereby bail to the petitioners has been declined.

Counsel for the petitioners contends that as far as petitioner No.1 is concerned, it has been alleged in the statement of Kuldeep Singh, recorded under Section 161 Cr.P.C., that he gave a lathi blow on his left hand. Counsel contends that there is no such injury depicted in the MLR of Kuldeep Singh. He further contends that petitioner No.2 is alleged to have given a Gandasi blow on the left arm of complainant Dharam Singh and the said injury is not dangerous to life. Counsel contends that the main accused is Kaku, who is alleged to have given kirpan blow on the person of Surjit, which injury has been opined as dangerous to life.

The petitioners in this case are stated to be in custody since 8.4.2006 and even charge has not been framed so far. Therefore, trial is not likely to conclude soon.

Keeping in view the aforesaid facts, without expressing any opinion on the merits of the case, I deem it appropriate to grant regular bail to the petitioners and they are, accordingly, ordered to be released on bail subject to their furnishing bail bonds to the satisfaction of Chief Judicial Magistrate, Panipat.

January 29, 2007 **(SATISH KUMAR MITTAL)**
ndj **JUDGE**